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January 30, 2024

FEB 05 2024

Hon. Judge Aleta Arthur Trauger
719 Church Street
Nashville, TN 37203
Courtroom 6C
Chambers, Suite 6325

U.S. District Court
Middle District of TN

Re: United States vs. Austin Douglas Kidd

Criminal Case: 3:21-cr-00077

Magistrate Complaint Case: 21-MJ-2786

Dear Judge Trauger:

This letter is respectfully submitted as a request that the magistrate search warrant case (20-mj-2616) and its associated documents, as well as any other associated magistrate cases in the above-referenced criminal matter (2:22-cr-20243) be unsealed.

As an American-born citizen, and a member of the public, I have standing to request the unsealing of these documents due to a direct interest in the integrity of public records and proceedings. This request is grounded in the established right of public access to judicial records and documents, as affirmed by the United States Supreme Court. In landmark cases such as *Richmond Newspapers, Inc. v. Virginia*, 448 U.S. 555 (1980) and *Press-Enterprise Co. v. Superior Court*, 478 U.S. 1 (1986), the Supreme Court upheld the principle that openness in judicial proceedings is crucial for maintaining the integrity and fairness of the judicial system. These decisions underscore the importance of transparency, particularly in criminal proceedings, where public scrutiny serves as a significant check on the judicial process. Further, under the First Amendment, documents may be sealed only if there are "overriding interests" requiring secrecy, and only if the proposed sealing order is effective and narrowly tailored to serve those interests.

In accordance with these principles, I believe that the unsealing of the aforementioned case and documents is essential to ensure public confidence in the judicial process and to uphold the democratic principles of transparency and accountability. Therefore, on behalf of the American public, which has a constitutional "right of access to criminal proceedings and documents filed therein," *CBS, Inc. v. U.S. Dist. Court*, 765 F.2d 823,825 (9th Circuit, 1985) I would like to respectfully request that any and all magistrate cases and search warrant cases (including 20-mj-2616) and their associated judicial records, be unsealed and made available to the public.

I've also reviewed the local rules for the Middle District of Tennessee, and was able to find applicable information on unsealing documents for Civil Matters, but not specifically under the guidelines for Criminal Matters.

I do not believe these cases are part of an ongoing investigation, as I have found in researching cases of the same nature, that many are already unsealed. Please see some examples below (additional can be provided if need be). Much of the information contained in these documents is already in the public eye, as referenced in the cases below or the associated criminal matters.

Case #	District
5:20-mj-00044	Northern District of Florida
1:20-MJ-00481	Western District of Michigan
2:20-mj-00143-kjd	District of Vermont
4:20-mj-03301	Eastern District of Missouri
1:20-MJ-00255	District of Maine
1:20-mj-00243-LPA	Middle District of North Carolina
1:21-mj-00148, 1:21-MJ-00146	District of New Hampshire
4:20-mj-05049	Eastern District of Missouri
4:20-mj-07161	Eastern District of Missouri
4:20-mj-08007	Eastern District of Missouri
4:20-mj-08005	Eastern District of Missouri
1:20-mj-236	Middle District of North Carolina
1:20-mj-244	Middle District of North Carolina
1:20-cr-00335	Northern District of New York

Courts nationwide acknowledge a general right for the public to inspect and copy public records, including judicial records and documents. Further, they acknowledge that the burden of proving the necessity of sealing court records generally falls on the party proposing the sealing - in this case the Government. There is no compelling reason to continue sealing the magistrate search warrant cases or their associated documents.

In the Delaney case (1:20-cr-00335), the Judge unsealed numerous documents after two attorney's from the Department of Justice's Child Exploitation and Obscenity Section (CEOS) acknowledged that there were no longer reasons to seal certain exhibits and other information. Further, in this same case, The United States Government agreed that there was no reason to keep the magistrate case and documents sealed;

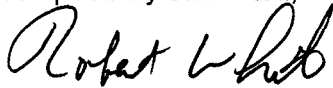
"The United States has no objection to the unsealing of the search warrant materials in the

above case, and has submitted an unsealing application and proposed order so that may be Accomplished.” (See attached from Case 1:19-mj-00830-DJS, Document 7 Filed 11/29/23)

I would appreciate it if the court would direct the Clerk to provide access to unredacted, or if necessary redacted versions, of the sealed documents. If there are any additional fees or formal procedures required to process this request please let me know so that I can promptly comply with them.

Thank you for reviewing this letter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert White", written in a cursive style.

Robert White

STE 247

4949 Brownsboro RD

Louisville, KY 40222



United States Department of Justice

*United States Attorney
Northern District of New York*

445 Broadway, Room 218
James T. Foley U.S. Courthouse
Albany, New York 12207-2924

Tel.: (518) 431-0247
Fax: (518) 431-0249

November 29, 2023

VIA EMAIL

Hon. Daniel J. Stewart
U.S. Magistrate Judge
James T. Foley U.S. Courthouse
445 Broadway, Room 314
Albany, New York 12207

Re: *Sealed Search Warrant Unsealing*
Docket No. 1:19-MJ-830 (DJS)

Dear Judge Stewart:

The United States has no objection to the unsealing of the search warrant materials in the above case, and has submitted an unsealing application and proposed order so that may be accomplished.

Thank you for your consideration in this matter.

Respectfully submitted,

CARLA B. FREEDMAN
United States Attorney

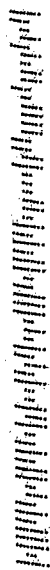
By: /s/ Emmet J. O'Hanlon
Emmet J. O'Hanlon
Assistant United States Attorney
Bar Roll No. 519779

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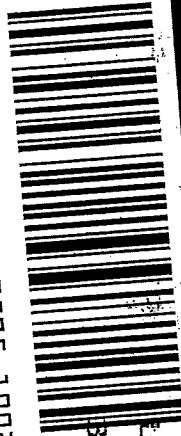
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